ATTACHMENT 1

LAFAYETTE HOMEOWNERS COUNCIL

649 Los Palos Drive
Lafayette, CA 94549

February 24, 2009

Lafayette City Council
City of Lafayette
P.O. Box 1968
Lafayette, CA 94549

Honorable Mayor and Members of the City Council and Downtown Advisory Committee,

Re: Comments on Draft Lafayette Downtown Strategy and Specific Plan (*DSP*)

The Board of the Lafayette Homeowners Council (LHC), thanking the many individuals and groups who have also participated in this effort, respectfully offers the following comments on the *Draft Lafayette Downtown Strategy and Specific Plan (DSP)*, prepared by the City's consultant, Wallace, Roberts, and Todd, LLC (WRT).

While conceptually there are useful elements, such as the integration of green areas, parks, and a walkable creekside into our downtown, on the whole, it appears to us that in many areas, the consultant used its in-house, boilerplate plan, rather than one designed for and specific to Lafayette. We are not Ashland, Mercer Island, or San Luis Obispo, nor do we wish to be Carmel, Healdsburg, or Walnut Creek. We don't mind 'growth' per se, but we also wish to remain a safe, semi-rural community with good schools, good roads and local shops. Our biggest problems are the condition of certain of our roads, and the traffic congestion--- in particular, through-traffic from Moraga. The *Draft Plan* does not properly address traffic issues, nor does it focus on how we maintain our semi-rural identity. It eliminates many of our favorite shops and community icons. In fact, in this plan, a lot of what we enjoy in this town isn't there anymore.

The *Draft Plan* needs major revisions-- or, as many believe, perhaps the process should begin again. Or, perhaps not? (As you are aware from a planning standpoint, there is no critical need for *DSP*, as Lafayette has an excellent *Lafayette General Plan 2002* in place that includes the "downtown" area.)

Our initial comments are as follows:

- The portion regarding the development of creeks and parks downtown was well- done. However, there was no financial analysis of the operating and maintenance costs for new parks and creek walkways.
- The downtown as shown is too dense, the buildings too tall, the stepbacks, too short. The *Draft Plan* needs a variety of structures, staggered heights and more stringent set –back standards, as well as preservation of the unique character existing south of Mt. Diablo Boulevard.
- Inconsistencies abound in the *Draft Plan*, since the high densities proposed and the constraints of our limited roads infrastructure don't yield a pedestrian- friendly downtown.

- From a "green" perspective, large masses of buildings are environmentally damaging, hold in air pollution, and will result in a hotter downtown. Furthermore, massing tall buildings in neighborhoods like Brook Street will result in the destruction of many large trees. *The Plan* diminishes our primary asset—our natural location amid views of rolling hills and heritage oaks. Views of the hillsides seem to be missing, as the Draft Plan appears to be devised to produce just little pocket views from the downtown of our hills and magnificent ridgelines that we have worked hard to preserve.
- The Board strenuously objects to Moraga Road extending into and through the Safeway shopping center to connect with a new road between First St. and Happy Valley Road and to the Highway 24 freeway. This would cut Lafayette in half [like Orinda] and eliminate some of our favorite stores and gathering places and force pedestrians to islands of stores surrounded by cars. Nor does the Board support the continuation of Happy Valley Road to Bickerstaff due to impacts on businesses and neighborhoods.
- Some of the road diagrams are inaccurate --in particular, those with respect to Moraga Road.
- As has been mentioned before, the maps, pictures and legends, are often inconsistent and inaccurate –in particular, with respect to Moraga Road. A Technical Appendix should be included.
- There is neither a feasibility study nor an in-depth analysis finance section which, as we understand it, were part of the consultant's scope of work. The *Draft Plan* needs to add a discussion of how much retail Lafayette's downtown can actually accommodate, since the *Lafayette General Plan 2002* recommended keeping considerably more retail square footage. Please include a comparison table.
- Any proposed cultural/civic/city offices center plan should include the elements of such a district and the impacts of a parking structure on Moraga Road—which would exacerbate the traffic and turning problems we are now experiencing along this corridor.
- The downtown is already "under- parked." To reduce parking spaces further or to raise meter rates will only encourage people to shop in nearby towns.
- The concept of "park once and walk" is unrealistic and unworkable in a community that relies on cars to perform professional and family commitments under time constraints. Further, bus circulation through neighborhoods will not happen due to insufficient funding and ridership.
- Emergency services were merely identified. There is no discussion of impacts of development downtown on services such as fire, police, water and schools. Police services should be moved to a more visible location. The *Draft Plan* does not factor in increased costs for fire safety, as it relates to the proposed increased heights and denser development. These increased problems and costs would apply equally to police services.
- More attention should be paid to the development and parking in the East End of town.
- There needs to be a clarification of development "by right" and to clearly spell out developers' and the City's processing rights "by law" when an application is submitted for development in a city's Downtown Specific Plan. Please clarify which of the maps, drawings, diagrams, and photographs become "regulatory" in intent.
- Please include clarification of how CEQA and the EIR process will be implemented if the City decides to proceed with this *Draft Plan.*
- Does *The Plan* rely on the use of eminent domain?

In general, we live in Lafayette because we like the small town, semi-rural atmosphere. We like seeing the natural beauty of our surroundings and we consider them our heritage to pass on to future generations. We are not anti-growth, but if we wanted to live in a dense, crowded environment, we would live somewhere else.

Very truly yours,

Maeve Pessis
President

Cc: Citizens Advisory Committee, *Draft Lafayette Downtown Specific Plan & Strategy*
Lafayette Planning Commission
Lafayette Circulation Commission

ATTACHMENT 2

THE STUART COMPANY
1007 Oak Hill Road • Lafayette, California 94549-3812
Phone (925) 284-1115 • Fax (925) 284-1131

Cover Sheet

☒ **Hand Delivered**

☐ **U.S. Mail**

☐ **Other**

To: Attendees and Guests **Date:** February 24, 2009

Organization: Lafayette Chamber of Commerce **From:** Chuck Stuart

Address:

Phone #: **RE:** W.R.T. Specific Plan

☒ **Please Review** ☐ **Please Comment** ☒ **For Your Information**

• **Comments:**

Packets attached:

I. Existing Ace Hardware and Ace Hardware Annex

II. Plaza Way Shops

III. Plaza Pointe Building

IV. Lafayette Square

Thank you,

Chuck Stuart

Council Meeting with C.A.C and guests, February 21, 2009

Raised many Questions!

Over a dozen times the word "confusing" was used by C.A.C. members, guests and residents alike, regarding the W.R.T. Report.

That meeting and comments and the materials set the groundwork for our personal review of the in process "Draft", dated January 2009 of the Lafayette Downtown Strategy and Specific Plan.

Important Suggestions

- We notice that the numerous individual Sheets are not dated; feel such would be helpful, as the review progresses.
- We *attempted* to cover the materials.
- Many examples of a need to better – –
  - Define
  - Label
  - Correlate
  - Support
  - Supplement
  - Provide authors' data sources.
  - Provide recommendation successes, and recent experiences.
- There are some examples of
  - Poor readability.
  - Inadequate explanation for basis of conclusions.

Other

- Often there is absence of consideration relative to:
  - The "Domino Effect"; and
  - "The Law of Physics": (for every action there is likely to be a reaction).

    How does – –

    Reduction in Parking Requirements, without a net increase in available parking, in general, not effect circulation and congestion in an area and its surrounds?

    How does – –

    An Increase in Traffic Volume, not effect net congestion in an area and its surrounds?

Specific Examples of Concerns

I. Existing Ace Hardware and Annex Location

Contradictions?

How does one rationalize the following two entries?

Page 9-14 Implementation

Page 5-13 East End District

Shows: Ace Hardware and Ace Annex

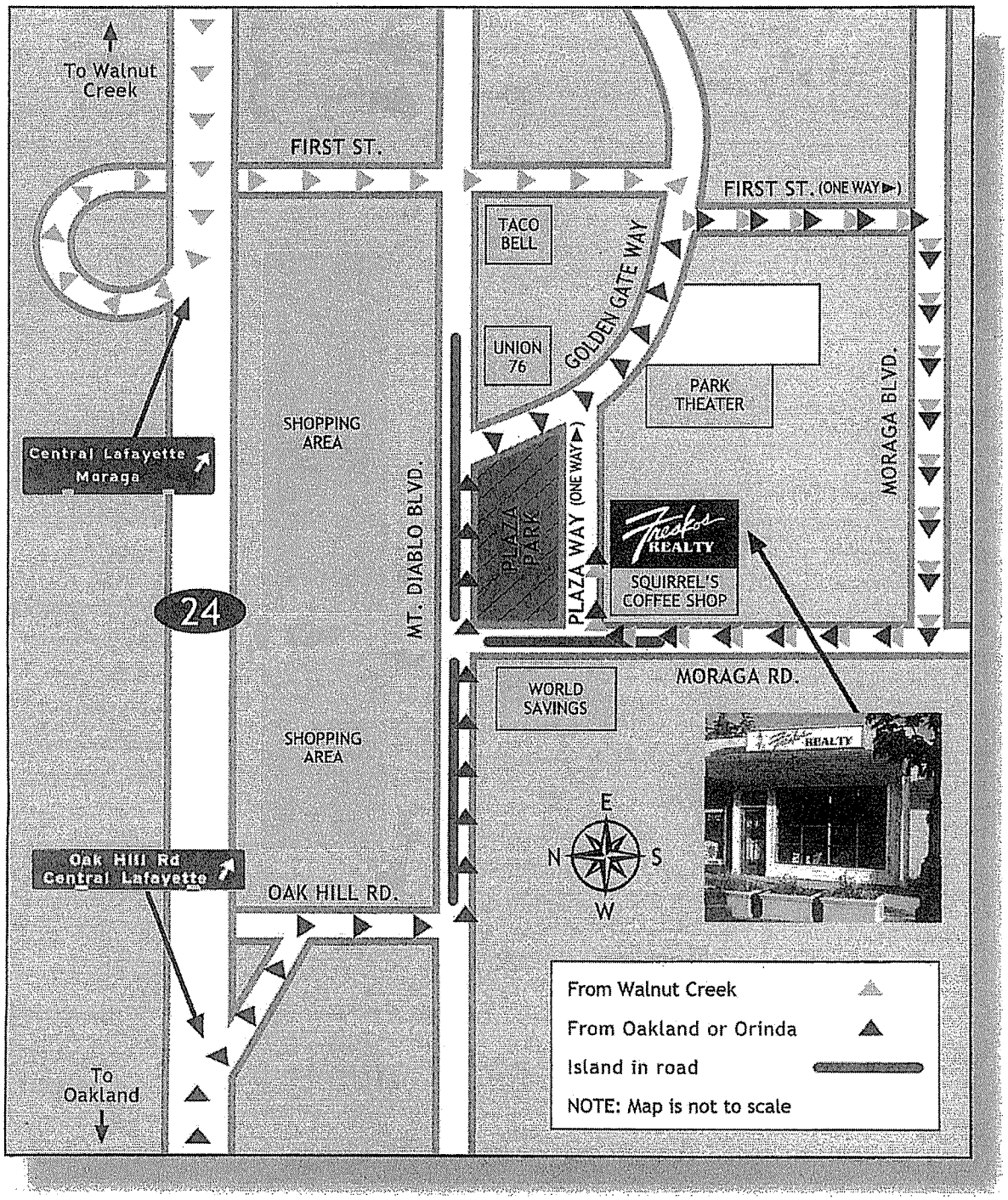
II. Years 1997-1998. Unfortunate example of Merchants and Property Owner Cooperation with City:

Plaza Way Curb Parking and Circulation

- Planning Committee Merchants, Property Owners, and City Staff (City Manager)
- Joint agreement to have a minimum of one row "curb parking".
- Circulation to be clockwise.
- Later, unilaterally City changed circulation direction to counter-clock wise.
- Measure "C" Funding.
- Merchants have struggled with serious access problem since.

See attachments

1. Merchant's pass-out map and directions.
2. Plaza Park, 5a) Summary of plans.
3. Merchant's Letter to City Manager.
4. Merchant's Letter to Chuck Stuart.
5. Merchant's Letter to Newspaper, by Tenant.



Fresko Realty

3541 Plaza Way • Lafayette, CA 94549
Tel 925.299.7700 • Fax 925.299.7707

STORE-FRONT PARKING

From Walnut Creek:

- Take Hwy 24 West; take the "Central Lafayette" exit.
- At the light, turn right and continue going toward First Street and proceed under the freeway.
- Cross Mt. Diablo Blvd., then cross Golden Gate Way.
- At Moraga Blvd. turn right.
- At Moraga Rd. turn right again.
- At Plaza Way turn right again.
- Store-front parking is immediately on the right side of Plaza Way (we provide you parking meter change).

From Oakland or Orinda:

- Take Hwy. 24 East through Caldecot Tunnel; proceed approx. 6.5 miles (past Orinda).
- Take the "Central Lafayette" exit (Oak Hill Road).
- At the bottom of the ramp, turn right on Oak Hill Road toward Mt. Diablo Blvd.
- Turn left at Mt. Diablo Blvd.
- Proceed past next stop light (at Moraga Road) and go a short distance and turn right on Golden Gate Way (by the Plaza).
- Pass the Park Theater, then turn right on First St.
- At Moraga Rd. turn right again.
- At Plaza Way turn right again.
- Store-front parking is immediately on the right side of Plaza Way (we provide you parking meter change).

Providing you an ideal home loan OMEGA Mortgage Co.

b) Consolidate pedestrian crossings at south side of School Street / Moraga Road intersection; includes removal of crosswalks at Brook Street/Moraga Road intersection, install crosswalks at School Street / Moraga Road intersection;

c) Install a temporary pedestrian barrier on Moraga Road in front of Lafayette School multi-purpose room or in center line of Moraga Road at Brook Street;

d) Work with Masons to allow safe walking passage behind Masonic Hall; refer options for reconfiguring, rebuilding, or relocating Masonic Hall to provide wider sidewalk at Moraga Road / Brook Street intersection to the Circulation Commission for review;

e) Indicate to CCTA that the City's long term goal is to realign the Brook Street / School Street intersection; refer options for doing so to the Circulation Commission, Planning Commission, and General Plan Advisory Committee;

f) Refer the creation of new student drop-off zones to the Circulation Commission.

5) **Plaza Park**

a) Planned closure of Plaza Way and expansion of Plaza Park south- and east-ward pending the development of a design that accommodates the concerns of local merchants; improvements may include new landscaping, plaza, light fixtures, etc., but final design to be determined after a series of community design workshops that will incorporate needs of local businesses, historical society, City, and other interested parties; on-street parking would be retained on the eastern side of the park; use preliminary studies that indicate a potential net gain of six parking spaces – from 14 to 20 – as a starting point for discussion; consider existing conditions as one of the options for Plaza Way and Plaza Park. INCORRECT

b) Work with nearby property owners to acquire additional off-street parking;

c) Move the Mt. Diablo Boulevard / Moraga Road intersection signal control boxes to north side of Mt. Diablo Boulevard; exact location to be determined after consultation with landscape architect.

Implementation of these recommendations include:

- Prioritize projects to be implemented;
- Perform required environmental analyses;
- Preparation of project budget estimates;
- Initiation of process for appropriating $4 million "strategic plan" funding;
- Immediate selection and retention of design consultants;
- Inclusion of design costs in proposed 1998/99 FY municipal budget; and
- Develop a phased implementation plan to construct projects in construction years 1999 and 2000.

Handlebar Toys

(510) 284-4631

3535 Plaza Way
LaFayette, CA 94549

ındlebar Toys
535 Plaza Way
ıyette, CA 94549
925/284-4631

January 17, 2001

City of Lafayette
3675 Mt. Diablo Blvd.
Lafayette, CA 94549

ATTN: Steven Falk
Manager

Dear Steve:

Handlebar Toys has come through the year 2000, but not easily. Continuous construction has taken its toll; loyal customers have had difficulty finding parking spaces and also in simply finding access to our location. We now have competition in town, which under ordinary circumstances would not worry us in the least but we have some concerns.

It seemed like one more blow when the movie theater owners decided to put on matinees, five each day beginning at 1 pm taking up all the available parking spaces for the entire afternoon and evening, having a serious impact on our business. We want you to put some time restrictions immediately on the parking spaces and be sure to have it clearly posted.

We are now faced with the replacement of our sidewalk, beginning this Thursday, 1/18. The guarantee from the construction company is that some kind of plank access to our store will be installed during this month long project. According to my observation the access will be used by the few and the majority will wait until the project is completed.

I am sure you have a picture of our efforts to stay in business in Lafayette, and I need say no more.

Yours truly,

Freda Challis

Freda Challis

cc: Lafayette Chamber of Commerce
The Stuart Company
The Contra Costa Sun

Dear Poys:

For your info.
The fact a letter has already been sent the City, is a surprize to me. Freda gave me a telephone courtesy call about a week ago, to let us know she wanted to write a letter. I suggested she might wish to discuss the matter with some neighbors first. I would then be happy to review any thoughts and make suggestions. That didn't happen. But her letter is ok (except "copy to Sun"); and at least it is her way of communicating.

Chuck
Jan. 19, 2001

F & J Inc.
Handlebar Toys
3535 Plaza Way
Lafayette, CA 94549
925/284-4631

February 21, 2006

The Stuart Company
1007 Oak Hill Road
Lafayette, CA 94549

Attn: Chuck Stuart

Dear Chuck,

Of course the most substantial problem is #1, the lack of convenient parking. Parking, even in our current situation, is bad at best. The parking spaces on Plaza Way are inaccessible to all but the bravest and most experienced Lafayette drivers. Many a customer we have lost due *directly* to the lack of convenient parking. In the proposed building, the parking problem would be even greater.

An elderly gentleman stationed by the bar said, "You with Shell?"

"No. It's just the two of ___," said Dan.

The old man motioned to the female bartender, who pointed to a booth next to the wall. She trotted over and handed us menus. She said a waitress would be helping us shortly.

"He must be the guy who runs this place," said Dan.

"Must be. He keeps sending those Shell people to the back room," I said.

You bet. Everything is going to cost more," agreed Dan.

The old man sh___ his head.

"And business is bad. Today not too bad. Got two big parties. Eighty people in that back room. But we need more people every day for lunch," he said.

"How long has business been bad?" I said.

"Been here 10 years. First two years, good. Downhill all the time after that," he said.

"The new railroad station, when will it open?" said Dan

Our Readers Say

1-31-01

Plse forward for info

Toy store owner cites concerns

This is a copy of a letter sent to Lafayette city manager Steve Falk:

Handlebar Toys has come through the year 2000 but not easily. Continuous construction has taken its toll; loyal customers have had difficulty finding parking spaces and simply finding access to our location. We now have competition in town, which under ordinary circumstances would not worry us in the least.

It was another blow when the movie theater owners decided to put on matinees, five each day beginning at 1 p.m., taking up all the available parking spaces for the entire afternoon and evening. We want you to put some time restrictions on the parking spaces and be sure to have it clearly posted.

We are now faced with the replacement of our sidewalk. The guarantee from the construction company is that some kind of plank access to our store will be installed during this month-long project. In my observation, the access will only be used by a few and the majority will wait until the project is completed.

I am sure you have a picture of our efforts to stay in business in Lafayette, and I need say no more.

Freda Challis,
Handlebar Toys, Lafayette

Student supports Acalanes tax

I am surprised that Measure B, the Acalanes Union High School District parcel tax, didn't pass last year and is "touch and go" this time around. I don't see any reason to vote against it.

It is very important that the Acalanes voters vote yes on the parcel tax. It will have a significant effect on people (like me) going into high school for the next six years.

Another thing that strikes me as surprising is that even with the parcel tax, we will be more than $1,000 under the national average of $7,000 per student. With the parcel tax, we stand at $5,850 and without the parcel tax, we are at $5,375. Even after the parcel tax, the Tamalpias and Sequoia high school districts are ahead of the Acalanes district.

If this parcel tax doesn't win 66.6 percent of the votes, then we are out of luck. My fellow students and I might be forced to look into going to a private school. Test scores will probably go down, causing the Acalanes district schools to lose their top 40 position in the state of California. Extracurricular activities will be negatively impacted. Orinda could lose its reputation for great schools.

To put it in basic words, the Acalanes High School District is in big trouble if this doesn't pass. My friends and I are doing everything we can to help and encourage anyone else who wants to help to do so.

Kent Holland, Orinda Intermediate sixth-grader

HOW TO REACH US

The Sun welcomes letters to the editor regarding coverage of community issues. Letters reflect only the opinion of the writer.

Letters must include your first and last names, address and daytime phone number. All letters are subject to verification. All letters may not be published.

Deadline is noon Friday. Send letters to:

Our Readers Say
Contra Costa Sun
P.O. Box 599
Lafayette, CA 94549
Fax: (925) 284-1039
E-mail: ccsun@cctimes.com

Senior exemption was ill-advised

The Acalanes Union High School District "Vote Yes on Measure B" decision-makers have come up with an innovative idea trying to gain the support of the age 65+ voters. Their "carrot-and-stick" ploy allows for an optional exemption from any voter of this large age group, voiding their obligation to be taxed for the proposed increased parcel tax rate from $23 to $85 a year for 6 years.

As a member of the Alliance of Contra Costa Taxpayers (ACCT), I strongly object to this unfair and discriminatory option. An approved tax must be paid by all eligible and voting residents — with no exceptions! The proposed burden should not fall on the under 65 voters/property owners, who already have a full plate of taxes and financial obligations. ACCT tried to convince the Acalanes School Board Measure B ballot advocates that this optional exemption and parcel tax was wrong, but we were turned down flat.

Last year, the district used furtive means to obtain voter approval of a special election parcel tax just weeks after the regular primary election. This evasive scheme cost taxpayers $125,000 in unconsolidated election costs. Now, dodging the November general election will cost an additional $63,000.

Calculate your existing tax burden and then ask yourself: Are current taxes A) too low; B) high enough now; or C) too high already? ACCT finds the answer obvious.

For all the facts and figures, please visit our Web site at www.alliancetaxpayers.net and vote no on Measure B on March 6.

Peter Muller, Orinda

III. Plaza Point Building (Delayed after first Design Review Hearing. Issue is the late-term mandating of a vehicle Access for others from numerous properties to the west without consideration. Still unresolved)

Determine under the W.R.T. Specific Plan, as proposed, whether it resolves the above threat of the denigration of our property, should we build a corner building on Parcels APN 243-110-006 & 007, as shown, and provide two levels of parking above with some parking available to others through reimbursement?

See W.R.T., 9-15

IV. Lafayette Square, (Boswells and Caffino) What is the import to the C-1 District, locally-owned small business (W.R.T., 5-23), founded in our fair City many years ago, under the proposed Downtown Civic and Cultural District?

We may need to handle this and come to an understanding within near-term meetings.

ATTACHMENT 3

LAFAYETTE HOMEOWNERS COUNCIL

649 Los Palos Drive
Lafayette, CA 94549

RECEIVED
MAR 9 2009
CITY OF LAFAYETTE

March 6, 2009

BOARD OF DIRECTORS

Maeve Pessis
Valley View Estates

Joe Garrity
Crescent Moon

Lynn Hiden
At Large

Mary-Jane Wood
St. Mary's Orchards

George Burtt
Acalanes Valley

Jack Coulter
At Large

Jim Fitzsimmons
Valley View Estates

Byrne Mathisen
Happy Valley

Jan McHale
Lafayette Valley Estates

Guy Atwood
Springhill Valley

Carol Singer
Silver Springs

Cliff Tong
Burtonvalley.com

Tom Grimes
Silver Dell

Susan Callister
Happy Valley

Marie Blits
Lucas Drive Neighbors

Ivor Samson
Honorary Board Member

DIRECTORS EMERITUS

Jack Fox

Jim Todhunter

Lafayette City Council
City of Lafayette via email
P.O. Box 1968
Lafayette, CA 94549

Honorable Mayor and Members of the City Council,

The Public Draft *Lafayette Downtown Strategy and Specific Plan,* January 2009 (*Plan)*, has now been made available by Wallace Roberts and Todd, LLC (WRT), to the City commissions, committees and to the public for their review and comment.

The Lafayette Homeowners Council (LHC) Board members and other homeowner representatives have attended various workshops and committee and commission meetings over the past several weeks studying and reviewing this *Plan.*

During the Planning Commission meeting of last Thursday, March 5 (as well as during other workshops and commission meetings), which was convened for the sole purpose of reviewing this *Plan*, it has become clear to us that there is a disconnect between the *Plan's* mission and vision and its implementation. In short, the many recommendations for modifications of the present draft indicate that the WRT *Plan* is still very much a work in review and under revision. This was so evident that the Planning Commission voted to stop their review and to form a subcommittee to draft a more specific definition of the mission/vision that they then could use as the basis to recommend "major changes" in the *Plan.* One commissioner commented that in preparing the *Plan*, "WRT was shooting first and aiming later." We agree.

Among additional problems that those attempting to review this *Plan* appear to be having are:

- As each group attempts to improve the *Plan* by means of many recommendations, the *Plan* becomes a moving target and the process confusing and inefficient.
- Inasmuch as most of the supporting documentation for the *Plan* is being promised during the EIR process, the process is backwards. How can individuals make intelligent decisions about any plan without being assured that there is sound logic and feasibility behind such recommendations? Such a process of awaiting answers to legitimate and important questions may be applicable to a standard application but appears inadequate when changing *an entire downtown.*
- Given what we have seen and heard it would appear that much of the Lafayette public has lost trust in WRT's ability to reflect in the *Plan* Lafayette's values and concerns regarding building heights, densities, setbacks and stepbacks, congestion generations, views protection, semi-rural and small-town charm, and accurate costing.
- We would not want to have spent $500,000 on a plan and $500,000 on an EIR and find that the *Plan* is unacceptable.

We respectfully suggest that your *Plan* processing schedule – including the Joint Meeting on April 13 and subsequent "acceptance" scheduling for April 27– may not be appropriate, considering the uncertainties involved in developing a more thought-out, final, draft plan, as

various groups –especially the Planning Commission –are still working to understand it, modify it, and to determine if, other than our adopted *Lafayette General Plan 2002*, or where, a new Downtown Strategy and Specific Plan may be needed.

We suggest that these City Council *Plan* processing meetings be rescheduled to take place after all Advisory Committee, Commissions and Boards have reached their final conclusions on the WRT Draft *Plan* January 2009. Would you please advise?

Thank you for your consideration.

Very truly yours,

Guy Atwood (LH)

Guy Atwood, Chair
Lafayette Homeowners Council

Cc: Lafayette Planning Commission

ATTACHMENT 4

AVON M. WILSON
14 Richelle Court
Lafayette, CA 94549
925-283-3373

March 12, 2009

Honorable Mayor and City Council
3675 Mt. Diablo Boulevard
Lafayette, CA 94549

Subject: Lafayette Downtown Strategy and Specific Plan

Lady and Gentlemen:

The purpose of the discussion which follows is to comment on the recommendations contained in the subject document. It does not attempt to offer a line item critique, since that has been done more than excellently by Transportation staff, the Lafayette Homeowner's Council and Lynn Hiden, Circulation Commissioner. Rather, it seeks to frame the document's major components within the historical perspective of the almost 40 years of my family's residency in Lafayette, the majority of which has been spent helping find strategies to mitigate Lafayette's crushing commute traffic, beginning with participation in the first Lafayette General Plan of 1973. This commute traffic has, and will continue, to impact *a majority* of the planning strategies successively devised for the Downtown.

BACKGROUND

In the late 1960's and early 1970's the then County Supervisors and succeeding Lafayette City Councils made two crucial decisions:

- To request BARTD and Caltrans to locate the new Bart Station and central Lafayette Highway 24 interchange near the middle of Downtown. The rationale, led by Downtown merchants, was that the people traveling through town would stop to "buy a loaf of bread" and perhaps more, on their way home from work. Street improvement strategies that would facilitate this through traffic to flow on a circumventing road system were delayed due to expense and/or the need to condemn already existing development. Those realignment corridors were never built; and
- After intense lobbying by Burton Valley, the Lafayette City Council, on a split vote, decided to vote against the preservation of the alignment of State Route 77 which would have provided a bypass route from Highway 24 south along Pleasant Hill Road, through Burton Valley to Moraga, connecting on a loop to Orinda. Route 77 was part of an ambitious statewide freeway system, the expectation of which encouraged concomitant development near the existing rights of ways, including Burton Valley. Understandably, once the houses were built, the occupants opposed the potential construction of the roadway.

While at that time our three major north/south corridors to Moraga were already burdened with Burton Valley, St. Mary's College and Town of Moraga traffic, the vision of the then Council majority was myopic to the potential growth of our southern neighbors, now with 20,000+ trips per day on Moraga Road. Subsequent Lafayette Councils, hampered by their predecessors' fateful decisions, have been unable to effectively counter the growth: commissioning over the years, an endless array of Downtown traffic studies, altered and re-altered lane configurations, specific plans, assessment districts and committees, and negotiating traffic impact fees with the Town of Moraga: pitifully inadequate in providing mitigation.

Residents must contend, as well, with the increasing housing demands of the State of California: the outfall of encouraging out of state residents to move en masse to the "land of opportunity" and the "smart growth" advocates New specific plan advocates, with redevelopment improvement monies to spend, seek instead to dress up the traffic "elephant in the living room" subtly veiled in yet another Plan, hoping that pending growth to our south, and State mandated housing/sustainability legislation can be balanced against the unique beauty and livability residents have fought to protect. In light of the above circumstance, we proffer the following comments.

DOWNTOWN VISION

In 1973 the vision for Downtown preservation aimed to enhance the character of Lafayette as a low density, semi-rural residential community by

- Creating an attractive high-quality commercial area;
- Making the Central area economically as strong as possible;
- Avoiding high-rise structures – in excess of three stories - except where truly exceptional: of economic necessity or of architectural beauty;
- Enabling needy residents such as senior citizens to remain in the community; and
- Diverting through traffic away from the Core area;

Now, as then, all goals, except that of diverting though traffic, have generally prevailed and it is the test by which the community must weigh the current Plan. Because the community failed to unite behind diverting through traffic, the current Plan's visions – *vibrant with pedestrian activity, safe and comfortable* – are difficult to achieve. The Plan's strategies on how to achieve the Plan's visions within this framework are:

- Jobs/housing Balance
  Because of Lafayette's already has an existing jobs/housing balance, any imbalance in the future would be by complying with numbers articulated in the regional fair share housing goals mandated by the State and articulated by ABAG. It might be vibrant; it will certainly be more crowded; create a huge parking demand and will certainly contribute to a much higher carbon footprint. Balance will have to be achieved by further office development in the Core, and the East/West End areas walkable to the Core, adding to much further congestion and parking demand;

- Pedestrian Activity, Safe and Comfortable
  As long as Core housing development activity and associated shopping, entertainment and open space amenities are confined to accessing Bart and staying within a geographical area that doesn't require crossing major arterials, such as Mt. Diablo Blvd. or Moraga Road, they will be reasonable, safe from traffic and reasonably comfortable excepting crime activity associated with the higher densities.. Pedestrian safety, crossing these arterials is iffy. It is life threatening for senior citizens who might locate in one of the proposed Downtown housing enclaves. A door to door shuttle or some way to get over or under the arterials is critical to the success of this vision.

- Transit
  We have recently read in the Contra Costa Times that CCCTA will institute a downtown shuttle along Mt. Diablo Blvd. That is excellent. However we have also been notified by CCCTA it that service via routes between Moraga/St. Mary's to Lafayette will be curtailed due to cutbacks (See Circulation).

- Land Use Map Designation "Funky Town"
  Ask the merchants in the area what name they might prefer. Previously it was referred to as Brown Avenue Area.

- Downtown Lafayette as Mixed-Use Clone
  In the Plan are several pictures taken of other cities whose downtowns have been redeveloped: Santa Barbara, San Luis Obispo, Healdsburg, Pleasanton, Eureka – and now, in a recent newspaper – Hercules. The pictures tout mixed use as key to vibrancy/sustainability interfaced with transit oriented development. A reminder – Lafayette, unlike Hercules does not have an intermodal transit center serving ferry service, Amtrak and WestCat. We have BARTD and diminishing CCCTA (See Land Use).

MAPS

The Maps are pretty – pale, watercolory, Monet-like impressions - that thereby fail to provide details necessary to discern the impact of proposed improvements. I'm sure that was the intent. For instance:

- The maps should be clean, precise and complete; showing all road details and names, clearly demonstrating the interface between transportation modes, creek daylighting, etc. Particularly offensive is the map showing the street system, existing and proposed in pale dotted lines. This is so misleading and deliberately de-emphasizes the changes' impact;
- The reader should clearly understand the implications of placing a multi-level parking facility on the surroundings, certainly if the consultant wishes us to consider placing it on Moraga Road;
- When the consultant wishes us to consider creating a bikeway on Moraga Road Land a walkway linking La Fiesta Square and Town Hall Theatre, I want him/her to show where he is going to get the space;
- The consultants should illustrate the visual impact of the three-story and/or 45 foot mixed-use heights and the loss of light and air upon the nearby environment, as well as those within its viewscape; and
- Elevations and perspective should illustrate the impact of loss of hills and sunlight from Mt. Diablo Blvd., Plaza Way and other important view corridors.

A Specific Plan should be just that – specific!

CREEKS AND PARKS

We have long bemoaned the channelization of our beautiful Downtown creeks. To be able to restore and capitalize on their beauty and potential as a link in our park and transportation modes would add to the livability of the City. As you know, before incorporation, the Army Corps of Engineers channelized some of our Downtown creeks. It was a crass and brutal solution to the deadly cause and effect of upstream building and concomitant velocities/flooding. In the back-to-back 100 year storms of 1982 and 1983, most of our creeks suffered flood damage and there was much property lost. The City suffered financial loss due to inverse condemnation lawsuits. The Specific Plan must include provisos for flow restriction to contain and protect the creekside improvements and citizens as well, when seasonal rains flood and the creeks rampage, as they will.

Redevelopment monies may be able to pay for new park investment, and we <u>do</u> treasure what few parks we have. But they require upkeep, especially when there are heritage oaks as part of the mix. As a City we have always had few dollars for maintenance. That is why it appears cheaper to simply replace landscaping than to take care of it, particularly on our medians. Some financial analysis needs to reckon whether we have the maintenance monies to care for all parks proposed in the Plan.

LAND USE

East End

The Plan gives top priority to beautification of the East End. In the 1970's, this district was the subject of a successful public/private assessment district. Utilities were put underground; it combined driveways where possible and created more efficient, accessible parking areas in front and behind the shops, provided landscaping, and because the merchants wanted access to their businesses, provided a continuous open turning median. The street was paved. However, infrastructure, including storm sewer and aging water mains was not properly rehabilitated. This time the proposal is to make it even better, but with a large tree continuous landscaping which will make u-turns and turn-outs necessary to access businesses of choice or virtually impossible to change one's direction. If it were located in front of Acalanes, the kids in their pickups would simply drive over the landscaping. While the PG&E wires are underground, the other critical infrastructure issues have never been resolved. Both the must-do priority and the re-do, both need to be re-thought.

Core Area

According to both the 1973 and the 2002 General Plans, Lafayette is comprised primarily of houses. Not surprising, since immediately after World War II, Lafayette was the affordable housing center of the Bay Area. With the Country and State in economic shambles and the State looking to find solutions to the regional housing shortage, our time has come again. It is not surprising that the Plan's consultants have joined the band wagon of planners and economists in promoting mixed use, including housing in our Downtown, advocating packing "more people, more affordably into both our urban and suburban space, while improving their quality of life". Richard Florida, *The Atlantic Monthly*, March 2009, pg. 56. In addition, *The Week*, March 13, 2009, pg.14, reports that a growing number of urban planners are looking at the model set by slums as one to be emulated: Many slums, for instance are "walkable, high-density, and mixed use . . . While most slums are dangerous, watchful neighbors help to protect public safety . . . and they are buzzing hives of diverse economic activity." All this is well and good, if the development has the infrastructure and support services in place to make this vitality happen. For example:

- We need "*Robust*" transportation alternates to BARTD to broaden peoples' access to the greater community;
- We need amenities that will attract young singles and young upwardly mobile professionals, young families;
- We need single family suburban and empty nesters/seniors that are stuck in their Prop. 13 tax-protected houses, who want *quiet*, comfort, privacy, adequate mobility, safety and convenience (elevators!) within reach, who won't mind the hurley-burley mix one might find in a transitioning urban neighborhood;
- We need singles and families who cannot afford market rate housing; and
- We need to make this the best of all possible mixed use worlds.

Unfortunately the Plan does not detail this concept with its trade-offs very well.

- The City cannot aggregate all these selling factors and bundle them into a tidy convenient environmentally innocuous package *while taking away* the community heritage of the views of the hills from our "Sunshine Valley" floor, not just the BARTD platform (*See 2002 General Plan, Map 1-5*).
- We are informed that in order for developers to find a mixed use project financially attractive we must allow greater building heights – with the potential for creating clone towers that create walls of Financial District-like lightless canyons, in the name of the Mixed Use God that has now replaced our General Plan.

- There needs to be some kind of empirical evidence available that demonstrates that mixed use ages well and is sociologically and economically viable. The Plan needs to provide that data.
- The Plan needs to provide substantiating data which shows the number of retail units allowed under the General Plan 2002 and how many retail sites will be lost under the Specific Plan.
- Plan consultants need to provide data which indicates crime statistics for mixed use as opposed to conventional downtown development set forth in the 2002 General Plan. Will hiring extra police be necessary?
- The Plan also needs to verify that housing/other mixed uses combine beneficially. There is some indication that housing and/or some types of office uses do not mix well with food services/entertainment. They do, in high density urban environments where housing is scarce. Do they, in suburban communities such as Lafayette?
- Any comments made about mixed use apply to all Lafayette Downtown Districts.

West End

The Plan envisions a west end dominated by continuance of its multiple residential dwelling units and office complexes. It sees some convenience retail such as a Mom and Pop store, serving the mixed use community:

- It would restrict more auto oriented uses, such as gas or fueling stations to the East End. Apparently mixed use folks seldom need gasoline, and the residents need only one car. On the seldom occasion that West End mixed and non-mixed use residents and office workers need to buy gas, they would have to drive through town to get to the East End, or go to Orinda to get gas;
- The Plan assumes the potential housing inhabitants young and lively and walk to Diablo Foods/Longs/Trader Joes with their little grocery carts and umbrellas; It is not clear what they do with their children.
- They live in cooperatives where trades people who drive in from outside the District, do their repairs. Uses, such as the heritage business of Diamond K Supply, which historically has catered to the suburban home repair and building residents for over 40 years,, would be phased out because it does not fit into this transformed mixed use community;
- Those who live in the single/multi-family use parts of the District, such as Highland Drive or the Downtown Residential District, would have to drive to the East End, San Ramon or Pleasanton for home repair supplies.

Downtown Residential District

The Downtown Residential District is Lafayette's most pedestrian friendly residential neighborhood. It is comprised of a mix of cottages, two-story multi-residential, and townhouses. It is characterized by winding streets, mature residential and street trees and yards. It is probably the district which is most affordable, walkable and neighbor-friendly. The Plan yearns to capitalize on its affordability by increasing its density through redevelopment of lots; which, under the Plan's ambition, will expand from 18 du per acre to 35 du per acre. As the neighborhood transforms under the Plan, new development will be restricted to an unenforceable one car per unit. This provision will further penalize a neighborhood which currently resorts to restricted 2-4 hour or permit parking in order to limit parking by nearby employees. The Plan's proposed density increase plus its proposal for extending Happy Valley Road and commute traffic into the neighborhood would be a death knell for a very nice neighborhood and a valued part of the City.

CIRCULATION

The 1973 General Plan, in its introduction to the Circulation Element, stated that "Lafayette has expressed a strong desire to go slowly in making the City accommodate the automobile, hoping, instead to maintain the semi-rural atmosphere and village scale". As traffic congestion worsened, the City then adopted the policy of protecting our neighborhoods from through traffic by confining it to major arterials. The desire to preserve the integrity of our small town was re-iterated in the 2002 General Plan as "important to achieve a balance between the potentially conflicting goals of improving traffic flow and maintaining and enhancing the City's quality of like and sense of place, particularly in the Downtown Core".

In our view, the balance that our General Plan drafters saw as critical to the viability of our Downtown can be skewed toward accommodating commute through traffic under the Plan's guise of facilitating local traffic flow through the construction of the following new roads:

- Redesign the connection between Moraga Road and SR 24 eastbound ramps to route freeway trips *more directly* (emphasis mine) through the core Downtown:
  extend Moraga Road north between Safeway and McCaulous to connect at a T intersection with a new east-west connector located along the EBMUD alignment between the SR24 Oak Hill Road and First Street eastbound ramps;
- Develop an east-west connector along shopping center informal driveway alignments from Happy Valley Road to First Street; this would connect at a T intersection with
  A northbound extension of Dewing Avenue
  A Northbound extension of Lafayette Circle West
- Extend Happy Valley Road south through the Longs Drugstore location to connect to Bickerstaff Avenue; and
- Extend Chestnut Street east between Dewing and Hough Avenues.

For those commuters who dislike the backup along the current Oak Hill/First Street southbound connectors to Moraga Road, the above series of roads, using what called the "filter system" to Brook Street, bypassing evening southbound pm peak traffic, could be very attractive. Perhaps some well places restrictors such as those recently installed along Moraga Blvd. would be appropriate. Other wise, the newly facilitated traffic would cause unwelcome conflict with local elder and school oriented pedestrians, bike traffic, local auto traffic and truly destroy our Downtown Residential Neighborhood.

Moraga Road

As the consultants are aware, the City a few years ago commissioned a Moraga Road Traffic Study. Members included representatives from Transportation and Planning staff, Council, Circulation and Planning Commissioners, nearby business owners, Lafayette School District and various segments of the community. All possible options for improving the safety and flow along this road were considered and a report was issued. We refer it for your study. This is not the only study commissioned for this road. Each study brings new "tweaking". 35 years ago we had sidewalks and parking; then we had bicycle lanes, and no parking; then we had no bicycle lanes and at least one turning lane and some controversial on-street parking spaces. Within the existing right of way the options are few and congestion is frightening for all users, especially fragile pedestrians. Adding a parking garage to the mix of 20,000+ trips per day concerns us. Yes, we need parking, and it would add to the amenities of Theatre Square/New Lafayette Library, but it would not be safe.

East End Gas Stations

The restriction of gas/fueling stations to the East End will cause further congestion and contentious trips. The need for office workers and residents in the West End to refuel their autos, to get home to Moraga, Oakland, Danville, etc. as well as those who live in the area and are on

their way to work in places not reached by BARTD is a given. Those traveling to the East End will use Mt. Diablo Blvd to get there, and will probably use it during peak am and pm as well as the congested lunch hour. While a shuttle bus such as that envisioned by CCCTA will be welcome for trips within town for local shopping, it does not solve the gas or commute trip issues.

Park and Walk

This consultant concept ignores the reality of a suburban population which lives in enclaves outside the Downtown and who must, with few exceptions, access the Downtown by car, Trips are consolidated and arranged geographically by shopping destinations to save time and gasoline. Effort is made to get as close to the destination as possible to avoid walking long distances with multiple parcels, especially if one is doing the weekly grocery shopping, and especially is one is a senior citizen.. Even those living in the proposed mixed use clusters will be shopping in this manner on the weekends. There is a reason why Saturday is one of the peak travel times in the Downtown. Park and walk ignores the physical reality of errands, the nature of our topography, the age of our population and the lack of transportation opportunities to move it around with any degree of responsiveness.

Transit Orientation

All the strategies for making Lafayette a more pedestrian friendly Downtown are keyed to a "robust" transportation system. Currently, a "robust" system does not exist. Instead, we have an aging population stuck out in the subdivisions, each family with at least one car per resident; that many are getting too old to drive. Most live in neighborhoods ill served by diminishing or non-existent bus service, Very few neighborhoods are served by transportational pedestrian routes and not all residents are hardy enough to use them for shopping trips to town. They will stay in their current residences, many, because of the tax benefits of Proposition 13, until they can no longer care for their residence and/or their mobility/health is impaired. They will then move to some kind of facility that has a bus, such a Rossmoor, Byron Park or the Chateau. None are currently located in Lafayette. The Plan ignores this reality

PARKING

Using a very lenient parking formula, the Plan envisions the proposed mixed use density acceptable on the premise that if parking for new residential complexes is restricted to one car per swelling unit and we construct new parking facilities, all will be well. It also presumes a "robust" transportation system. The Plan totally ignores the inadequacy of a system that does not go everywhere. Perhaps in a Toronto, New York or Chicago such restrictions have relevance; where some persons are so well served that they do not own even one car.

In the Bay Area, we go where the jobs are: not all jobs are served by BARTD or by a bus system, but by the street system. We cannot always live near our work; and sometimes when persons change jobs or their job moves to a new location, those persons may choose to stay in their old neighborhood. That was the lesson learned from the I680/ Bishop Ranch business development which led to unforeseen congestion on I680 and a horrendous reverse commute on Highway 24.

Current key shopping destinations in Lafayette are heavily congested. If only one parking place within the mixed use complex is allowed per residential unit, the overflow will clog the adjacent lots and streets, further interfering with local retail. Therefore, if the mixed use cluster is anywhere near a popular retail area, you will find a parking nightmare.

CONCLUSION

We believe that there are significant shortcomings in this Plan. In our view, the consultants have tried to generalize and shoe horn a trendy land use concept into Lafayette's Downtown in order to comply with State housing and sustainability requirements while adding attractive amenities with

redevelopment dollars. Lafayette is a beautiful and unique little city: one that we want to preserve, not transform into a generalized copy of the typical, generic small city - a clone produced by the latest planning fad. We demand something better.

"Those who cannot remember the past are condemned to repeat it"
George Santayana

Sincerely,

Avon M. Wilson

CC: Lafayette Planning Commission
Lafayette Circulation Commission
Lafayette Downtown Advisory Committee

ATTACHMENT 5

GENERAL COMMENTS

1. **Scope, scale and breadth – "forced" or free market?**
2. **Circulation enhancement, or additional constraints?**
3. **Character changing to downtown, town in general, to schools?**
4. **Implementation Costs and priorities, do they make sense?**
5. **Housing Element focus and State Mandates**

SPECIFIC COMMENTS

1. **Plaza Center impacts**
2. **Moraga Rd/St. Mary's Rd property**

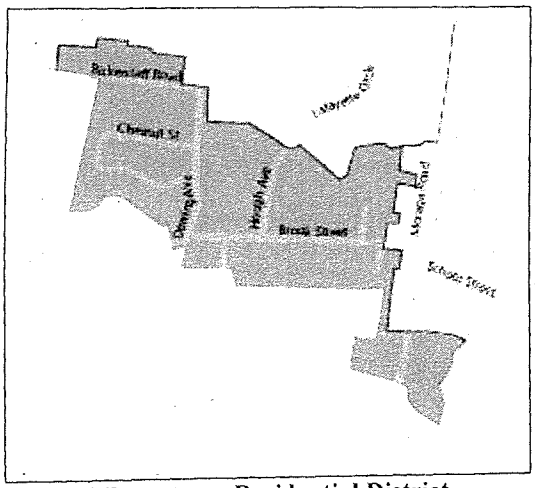
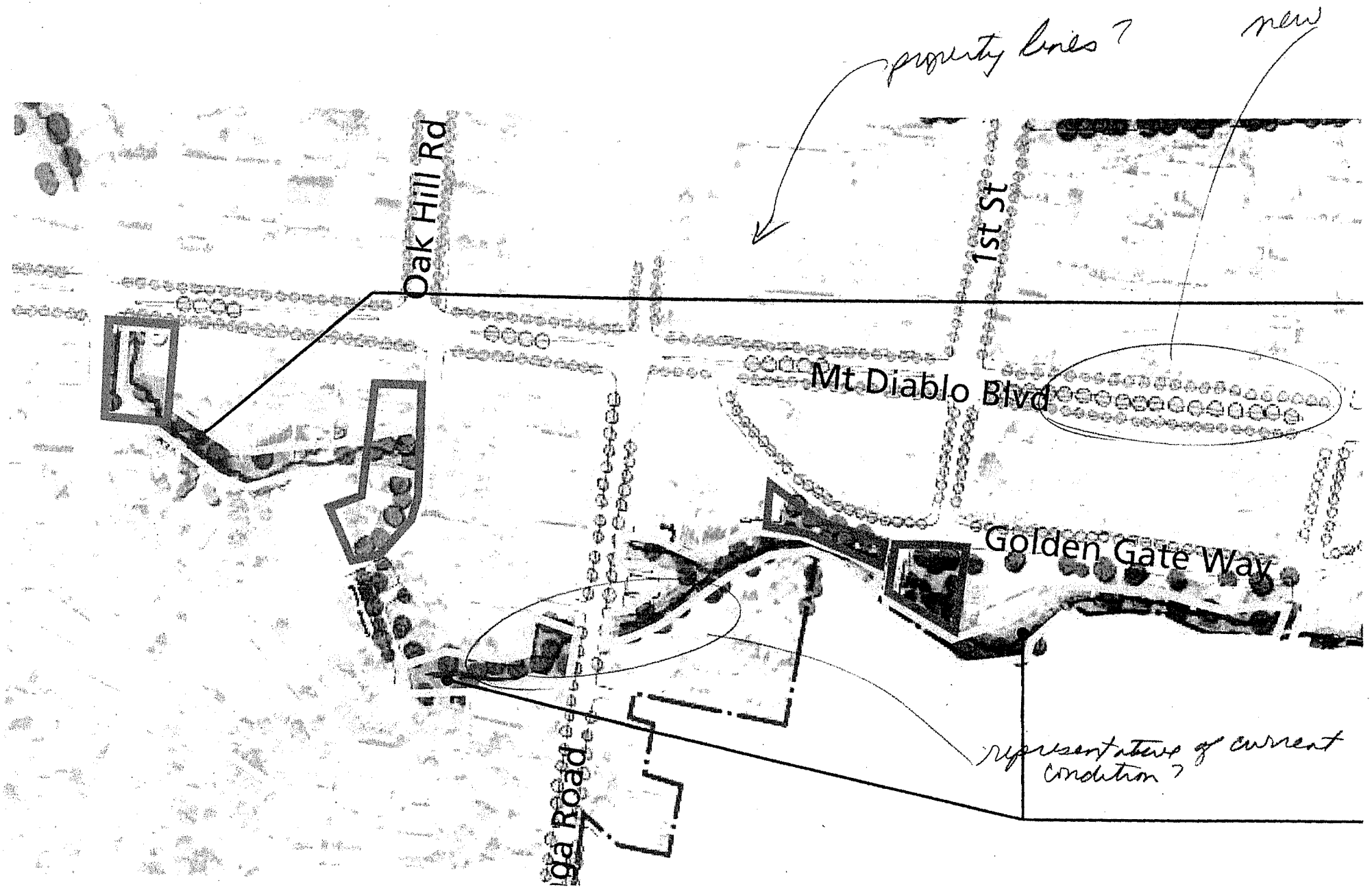
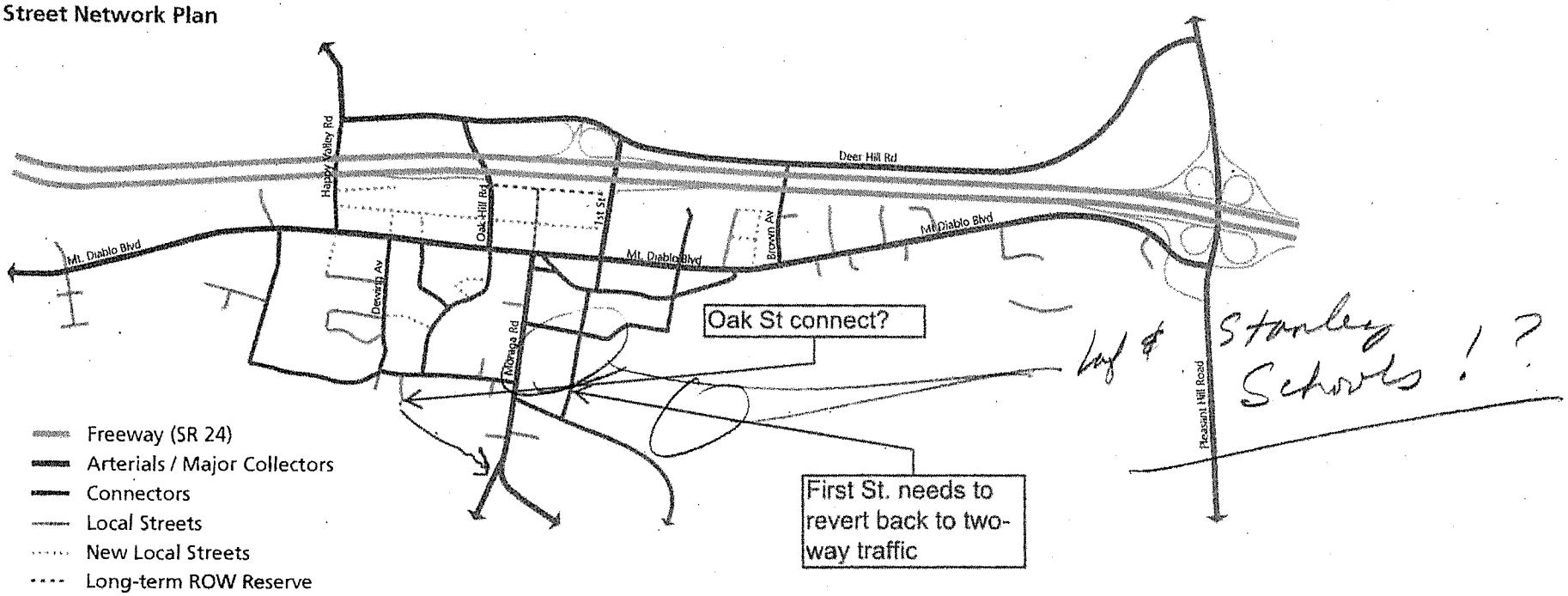


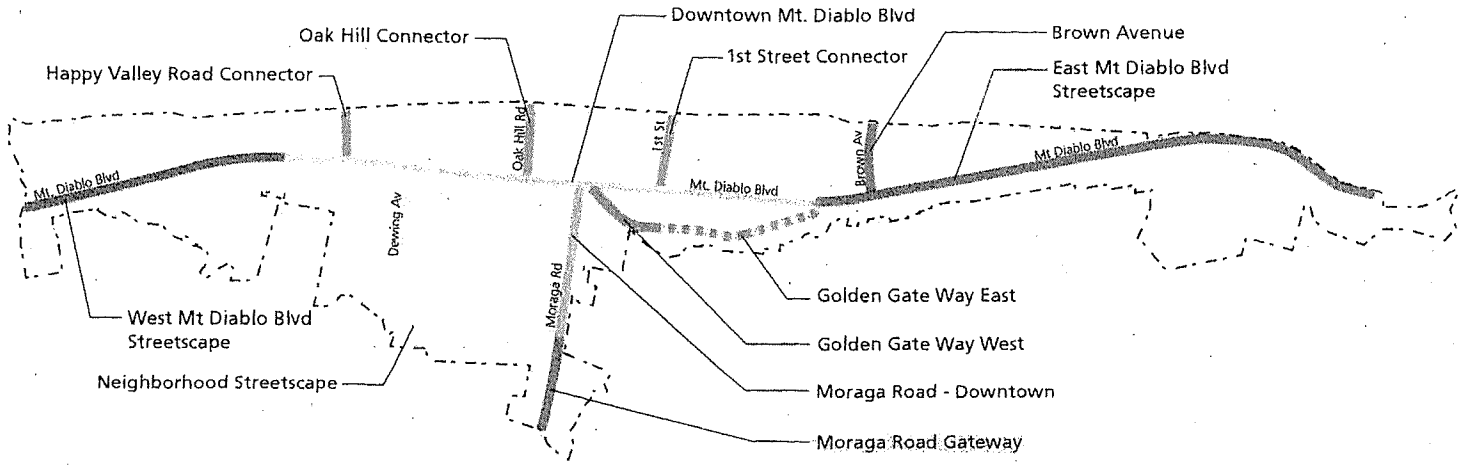
Figure 1 Downtown Residential District


property lines ?
new
Oak Hill Rd
1st St
Mt Diablo Blvd
Golden Gate Way
Road
representative of current condition ?

Street Network Plan



Streetscape Character



5.7 Housing

Existing Downtown residents live in a variety of housing types, including multi-family buildings, apartments in mixed-use commercial buildings, duplexes, townhouses, as well as single-family homes. Most of Lafayette's existing multi-family housing stock is located within the Downtown. Encouraging more residential uses in Downtown's land use mix is essential to achieving the City's vision for a vibrant downtown.

The BART Block Specific Plan (1986), referring to use and development standards states:

> *"Residential Uses. The City should study and establish overlay zones or other requirements which would favor residential use. Existing residential uses should be retained."*

The Downtown Strategy builds upon the idea of encouraging and maintaining housing in the BART Block by promoting residential uses throughout the Downtown Area.

Land Use Goal 5:

Create new and preserve existing housing that supports the Downtown as a place to live as well as work, shop and play.

Residential development will make an important contribution to the Downtown's future success by placing future residents in convenient proximity to shopping, jobs, services, transit and recreational and open space amenities. Mixed-use development that includes residential uses allows people to live in the downtown and walk to retail and community services, as well as improves the pedestrian environment. Residents' use of Downtown retail and commercial services will help support the area's viability, and the mix of housing with employment, shopping, entertainment, and cultural opportunities will establish a strong daytime and nighttime presence in the area that contributes vitality and richness to the urban environment. Accommodating the growing number of people who want to live in Lafayette within the Downtown will also relieve pressure to build into the hillside and other open space.

The Downtown should provide housing opportunities for a diverse community that will further strengthen a vital mixed-use district. Downtown housing should accommodate and be affordable to seniors, public employees, and young families. For example, seniors who are looking to downsize but want to remain in Lafayette would be attracted to living downtown; civil servants such as teachers, police and fire fighters would be attracted to more affordable housing that would allow them to live in the community they serve; young Lafayetteans who want to stay in the community might stay longer if there were more housing options, etc. Given the close proximity of the Downtown to many of Lafayette's high-quality schools, locating family-sized units in the planning area is also critical to supporting the school district, allowing children to walk or bike to school, and reducing the traffic that is generated by school pick-ups and drop-offs.

Policy 5.1 Encourage housing development that addresses the needs of a diverse and changing population, including age, household composition, and income.

Residential development within the Downtown should include a diversity of unit types, including: street-oriented townhouses, stacked flats, apartments, and studio units. Housing should also include a range of tenure options, including fee simple ownership, condominium ownership, and rental housing.

Draft Lof 6P July 2002
~ page V-58

Implementation Program Summary	Purpose	Evaluation and Impact on this Element
2.3 Seek sponsors to utilize State funds to develop a limited equity cooperative [LEC].	Facilitate the construction of affordable housing.	Not implemented. Affordable housing units were constructed using other financial incentives (see Town Center)
2.4 Review the existing Second Unit Ordinance and the number of such units that have been built in the past three years to determine what modifications of this section of the Zoning Ordinance may be required to increase the number of these units constructed.	Facilitate development of second units.	Partly implemented. The City Council has authorized the study of the second unit ordinance to determine whether detached second units should be allowed with a use permit. Three second units were constructed between 1994-1998.
2.5 Review standards for placement of manufactured housing units on permanent foundations in existing developments, and amend the Zoning Ordinance accordingly.	Facilitate manufactured housing.	Information provided and one unit has been built. Manufactured housing program included in the housing element update.
2.6 Establish an Inclusionary Housing Ordinance to require developers of residential developments of ten (10) or more units in multifamily housing zoning districts to provide up to 10% of their units at rents or purchase prices affordable to very-low to moderate income households.	Facilitate the construction of projects with mixed income households. Now Town wide	While an Inclusionary Housing Ordinance has not yet been adopted, the City has required that developers provide the 10% affordable set-aside in the following projects: 1. Town Center (75 total units)
2.7 Develop and maintain an inventory of vacant and / or underdeveloped residential land, distinguishing between land within the City limits and land within the City's Sphere of Influence. Provide copies of the inventory for public distribution.	Provide this inventory to developers of affordable housing projects.	Implemented. The City maintains an inventory of vacant and underdeveloped land.
2.8 Identify housing impacts and appropriate mitigation measures for employment-generating commercial, office and industrial developments. Require developers to either build housing units and/or contribute to the Housing Fund pursuant to a Housing Impact Fee.	Determine housing needs generated as a result of large-scale non-residential development.	The City did not approve any large-scale non-residential development during the review period due to the unavailability of land.

TABLE 8
ANNUAL CONSTRUCTION OF HOUSING UNITS BY TYPE IN LAFAYETTE, 1980 TO 2008

Year	Single Family Units	Multiple Family Units	Demo-litions	Net Housing Unit Increase	Year	Single Family Units	Multiple Family Units	Demo-litions	Net Housing Unit Increase
1980	35	0	0	35	1994	16	5	0	21
1981	40	4	1	43	1995	21	6	0	27
1982	21	3	0	24	1996	21	0	0	21
1983	31	0	0	31	1997	35	0	0	35
1984	33	32	1	64	1999	29	0	0	20
1985	31	0	0	31	2000	29	75	0	104
1986	57	16	6	67	2001	19	0	18	1
1987	54	0	8	46	2002	21	11	19	13
1988	61	8	7	62	2003	20	0	12	8
1989	40	0	6	34	2004	8	9	6	11
1990	23	13	9	27	2005	23	0	3	20
1991	25	0	14	11	2006	18	0	11	7
1992	17	0	7	10	2007	23	0	5	18
1993	13	0	0	13	2008	16	0	10	6
					Total	824	182	143	863

SOURCE: CITY OF LAFAYETTE PLANNING DIVISION 2008

The majority of future residential development will occur downtown, since the City is nearly
built out and the majority of remaining vacant and underdeveloped parcels permitting higherdensity
residential uses are located there. The Downtown is ill equipped to handle a large increase in population since it has few amenities such as parks, trails, and other recreation facilities

NON-GOVERNMENTAL CONSTRAINTS TO HOUSING DEVELOPMENT

Community Sentiment

The City of Lafayette is committed to upholding the goals of its General Plan, which include:

1. Preserving and enhancing the character of Lafayette as a low-density semi-rural residential community, and
2. Facilitating and encouraging the development of diverse housing types and additional affordable housing units to accommodate diversity amongst Lafayette citizens in terms of age and socio-economic background and to meet regional housing needs.

Program H-3.1.5: Establish an Inclusionary Housing Ordinance: Complete an Inclusionary Housing Ordinance to require developers of residential developments to provide up to 10% of their units at rents or purchase prices affordable to verylow to moderate income households. This ordinance is in addition to the 15% inclusionary requirement already in place, by State law, in the Redevelopment Area. The ordinance will include the implementation of an in-lieu fee for certain housing developments. The funds collected will be used to facilitate the development of additional affordable housing units. The basic components will include the following:

She indicated that California Redevelopment (RDA) Law establishes requirements for affordable units within the Redevelopment Project Area, including 15% to be set aside as

below market rate units, 6% of which must be affordable to very low and 9% as affordable to low income households. The terms for affordability, or how long the below market rate pricing should last, is also governed by RDA law at 55 years for multifamily rentals and 45 years for multifamily for sale. However, the City has discretion on the development size trigger, how to establish the in-lieu fee (amount), and when the City should allow an in-lieu fee to be paid.
The larger discussion is outside the Redevelopment area, as this area is not governed by Redevelopment law. Most cities apply similar standards with RDA laws or with other communities

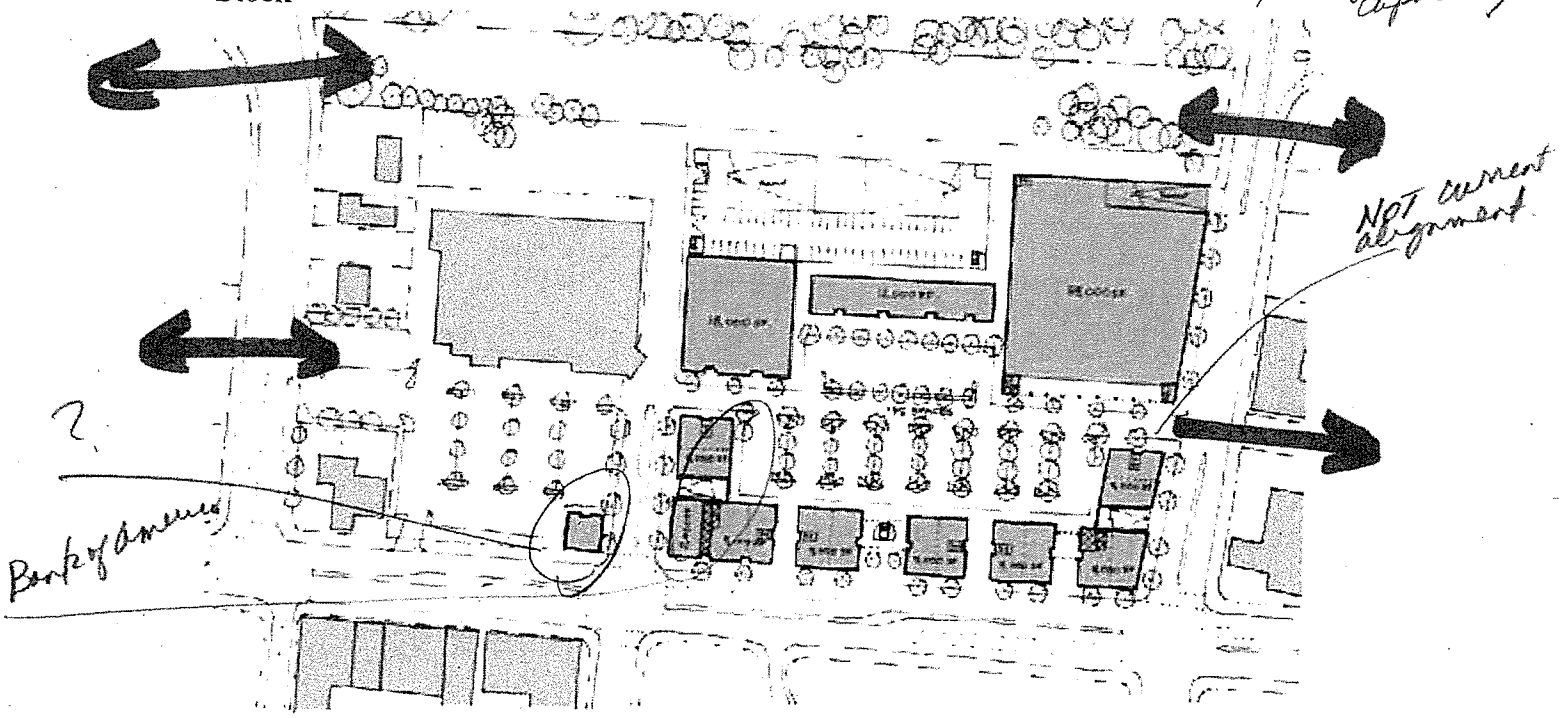
Why do we need more?

In communities with Redevelopment, 20% set aside funds are a major resource.

Such a strategy is particularly attractive when there is a resistance to mixing units for Very Low Income households on-site, especially if the market rate units are in the more luxury price ranges

As discussed in our 2005 analysis, single family detached (SFD) projects in expensive residential markets present special considerations for inclusionary programs. Unit sizes tend to be considerably larger resulting in significantly higher affordability gaps. The special consideration also stems from the necessity to alter on-site solutions for accommodating affordable units. Some programs allow duet or corner duplex units to reduce the burden on developers and produce compatible physical solutions for neighborhood continuity. Many communities allow SFD projects to meet affordable housing requirements through off-site solutions, such as land dedication or payment of fees. Some communities exempt SFD's completely from inclusionary obligations.
It is our understanding that Lafayette may not require on site affordable units in SFD projects but will wish to make them subject to the program in some manner. The following analysis provides the real estate basis for a fee on SFD projects.

Page 9-11 Draft (January 2009) Lafayette Downtown Strategy & Specific Plan
Opportunity Site #1:
Former Albertson's
Block



Ann Merideth's reply to one of my concerns with this plan - "What is shown is one example of how the Plaza Center could be redeveloped if you decided to redevelop over the next 20 years. It's a concept, not a development plan. In terms of the new "street", the concept is to refine what is already exists – the drive aisle between the parking and stores – which already functions as a "street"."

I'm not sure this the Lafayette SP actually agrees with this premise.

Additional concerns and/or clarification needed (this is a work in progress):

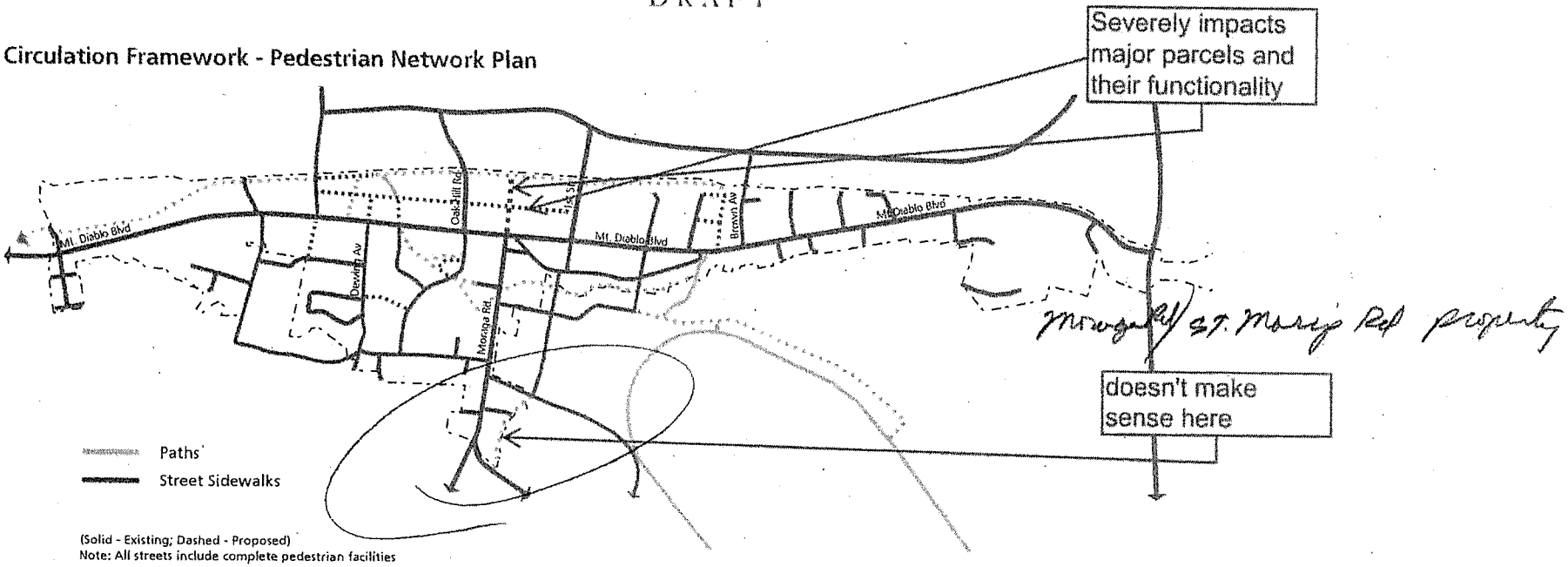
1. Freeway onramp between Safeway and McCaulou's is a NON STARTER.
2. Square footage designated on "potential" buildings can't be read.
3. Property lines; Parcel boundaries and sizes are not shown
4. Footprint size of parking structure behind buildings isn't shown. Is the footprint over 50,000 SF?
5. Shopping Center circulation and logistics with respect to "operations" of facilities as well as customer convenience as well as other rudimentary planning issues need clarification and don't seem to be addressed in the plan's schematics.
6. The Use of our property including its' Internal circulation should meet the needs of our property's potential use AND should not be predicated on or by the unmet demands of our neighbor(s). Internal circulation of a property, or a shopping center in this case, is not the same as what most people consider the function of a "street". A "street" will take away and negatively impact parking functions.

7. Memorandum: Economic Analysis for Lafayette Downtown Strategy (June 2, 2008, page 9 as well as Table 4) says that existing square footage of improvements (as well as potential demolition), as 133,476 SF on 7.8 acres. Please show how these numbers were arrived at.
8. The new "conceptual" improvements will be the same Square Footage as what was demolished, and will allow up to 74 residential unts. It also requires substantial parking structures. How can this possibly work out financially?
9. The assumptions in the above memo, were used to help determine the feasibility of some of the proposed changes. There have been significant economic changes since the June 2, 2008 memo date.
10. Sidewalk width of 14' along our side of 1st Street, is excessive, especially when compared to the 9' +/- wide path behind BART.
11. Freeway height is substantially higher than our property, which means it can easily accommodate buildings higher than the contemplated 42.5' limit.
12. Assuming that commercial office space would be acceptable instead of or in combination with residential units.

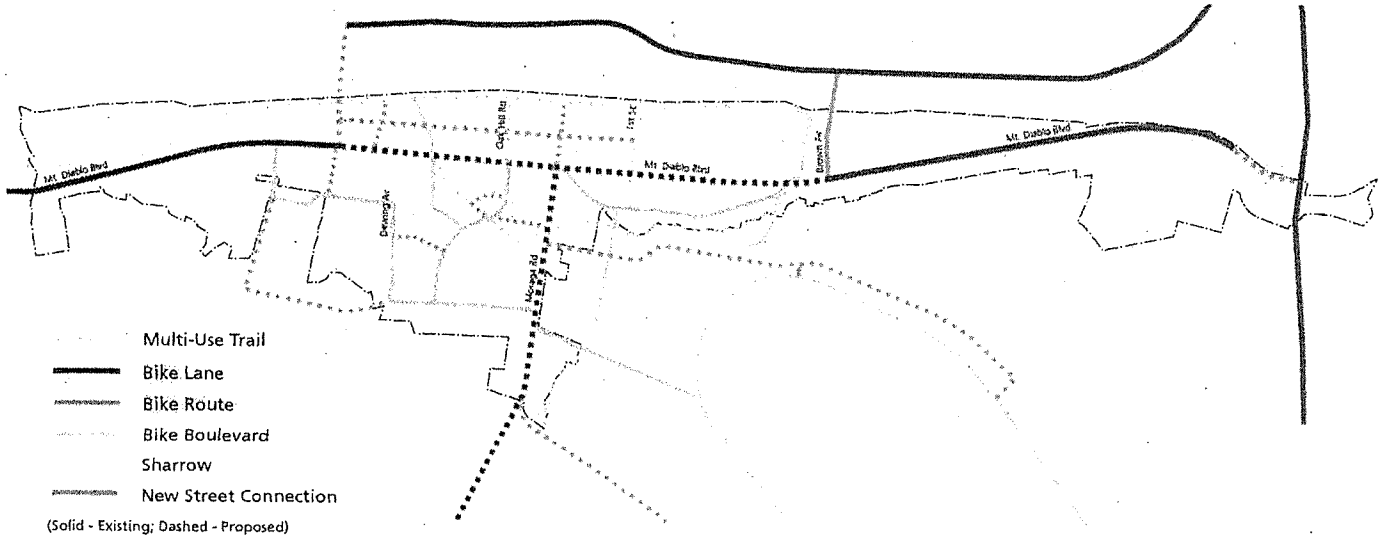
PUBLIC PARTICIPATION

The Downtown Strategy and Specific Plan process, initiated in early 2008, provides focus on housing issues and needs in the Downtown. The Strategy establishes a comprehensive vision and specific plan for housing and commerce that will guide the direction of development in the Downtown for the next 20 years. In 2007, the Downtown was designated as a Priority Development Area by the Association of Bay Area Governments. The City was then awarded a $150,000 Station Area Planning graut from the Metropolitan Transportation Commission and Association of Bay Area Governments to complete the environmental review of the draft Strategy document once it is completed. Because of the overlap between that process and the Housing Element update, public outreach efforts adopted by the Downtown Strategy are included here. The following efforts were made to reach out to the public:

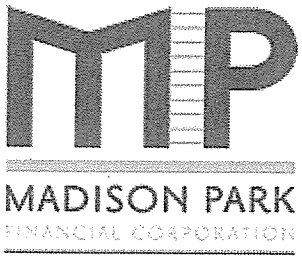
Circulation Framework - Pedestrian Network Plan



Circulation Framework - Bicycle Network Plan



ATTACHMENT 6



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Wednesday, March 25, 2009

TO: Ann Merideth,
City of Lafayette, 3675 Mount Diablo Blvd.
Lafayette, CA 94549

FR: John Protopappas, President and CEO

RE: DRAFT Lafayette Downtown Strategy

In 2006, Madison Park Financial Corporation (MPFC) purchased and began to manage the property known as Golden Gate Plaza located at 3483 Golden Gate Way. Since this time our company has been in discussions with planning staff about future development plans for this site and Lafayette's vision for this downtown area of the City. We have a shared excitement with the community about being a part of Lafayette's continued transformation into a thriving, sustainably developed downtown.

I and my director of development attended a couple of your sponsored public workshops last year to stay connected to these potential plans. We agree with the draft language at the beginning of this plan that it is an "ambitious" one, but we see the vision and are open to being a part of it.

We have paid particular attention to the vicinity around the new library and our property, which has been a focal area of the plan. In many of the document renderings, a portion of our property has been illustrated as a community park ("Library Park"). Major infrastructure and capital improvements such as a public creek greenway, transit enhancement, public parking facility, bicycle path, and/or public open space have also been shown directly on or adjacent to our property.

MPFC understands that this plan is schematic in design and we are hopeful that your staff and consultants will include us in further discussions before they are solidified and submitted for approval to your Commission and Council. Of course, our property on Golden Gate Way is a major asset for our investors whom rely on us to make sound decisions for any transactions or future development opportunities on the site. MPFC purchased this entire property with the expectation that it could someday be developed without limitations or restrictions other than Lafayette's General Plan

and the Zoning imposed on it. If the City does in fact have eventual plans for our property to be a public amenity, MPFC would request an open dialogue to negotiate this transaction.

We look forward to a continued relationship with the City of Lafayette and its consultants as this plan is developed into a working document that is both sound and economically feasible.

Do not hesitate to call me if there are any questions or concerns.

CC: Niroop Srivatsa, Planning & Building Manager
Steven Falk, City Manager
Frank Flores, Development Director

ATTACHMENT 7

753 Old Jonas Hill Road
Lafayette, CA 94549
March 27, 2009

Ms. Ann Merideth
Community Services Director
City of Lafayette
3675 Mt. Diablo Boulevard, #210
Lafayette, CA 94549-1968

Subject: Comments on Lafayette Downtown Strategy, Draft – January 2009

Dear Ann:

This letter provides my comments on the Lafayette Downtown Strategy, Draft – January 2009 ("Plan"), prepared by Wallace Roberts and Todd, LLC in conjunction with other consultants. In general, the draft plan shows vision and creativity that will allow Lafayette to be a vital and sustainable community in the future. The Plan is well organized, well written and well illustrated. There is, however, a missing concept related to new development / re-development of streets and other "hardscape," as well as the creeks that are adjacent to these areas, which is explained further below.

Section 4.4 – Planning for a Sustainable Downtown (pages 4-4 and 4-5)

This section does an excellent job discussing sustainability goals linked to climate change. However, there should be additional sustainability goals related to the preservation and enhancement of the natural environment in the Downtown Lafayette area. In particular, a goal and policies should be provided articulating that new development / re-development of streets, sidewalks, pathways, parking lots, plazas, and other large expanses of impervious area should be designed in accordance with "green streets" principles. These principles are sometimes called "low-impact development" because they lessen the impact of urbanization on stormwater quality and quantity (i.e., volume of runoff and magnitude of peak flows). Specific examples include: porous pavement; bioretention; green roofs; disconnection of downspouts from the storm drain system; establishment or restoration of riparian buffers; and expansion of the tree box sizes for street trees.

Section 7a. – General

Similar to the private realm section 7b.4 on Green Building, there should be an additional Section 7a.8 on Green Streets (or Green Public Infrastructure). This new section should contain a comprehensive goal and associated policies that affirm the green streets principles discussed in my comments on Section 4.4. By including this new section, the green streets principles would be applicable to all the future improvements that would be accessible to the public (City parks and plazas, streetscape design, public spaces on private property, creeks, and pathways and trails). These principles are particularly important to incorporate in the Streetscape Design Guidelines discussed in Section 7a.3.

I recommend that the subsequent draft or final version(s) of the Lafayette Downtown Strategy that is considered for adoption by the City Council include the concept of sustainable green streets as discussed above.

If you need further clarification of my comments, please contact me either by telephone at (925) 286-0965, or via e-mail at jgilman2@earthlink.net .

Sincerely yours,

Jeffrey A. Gilman

cc: Scott Honegger, Lafayette Creeks Committee

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LAFAYETTE DOWNTOWN STRATEGY AND SPECIFIC PLAN

COMMUNITY WORKSHOP #3

February 25, 2009

WORKSHOP NOTES

Attendees:	106 (excluding consultants, City Council, and staff)
Consultants:	WRT – Jim Stickley, Steve Hammond, Susan Poliwka; F&P – Ellen Poling; BAE – Ron Golem
City Council:	Mayor Tatzin, Vice-Mayor Brandt Andersson, Councilmembers Anderson and Anduri
Staff:	Steve Falk, Ann Merideth, Niroop Srivatsa, Greg Wolff, Lindy Coburn, Michael Cass, Sarah Allen and Leah Greenblat

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Welcome

Mayor Tatzin welcomed the participants on the behalf of the City.

Project Overview

Jim Stickley made a Powerpoint presentation about the project background and key elements of the Draft Strategy and Specific Plan. About half of the audience indicated they had seen the Plan.

Discussion

The participants spent an hour discussing the key elements at 13 tables. Each table had a facilitator from the consultants or staff.

Presentations

A spokesperson from each table presented the results of the discussions.

- Table 1
  - Districts – nothing significant, fine with the districts
  - Regulations
    - Height – reasonable, but only in the core
    - Density – there are concerns about the amount of people
  - Circulation
    - Needs more attention
    - Moraga Road north of Mount Diablo – the "Big Dig" – get rid of it
    - If you remove parking, add parking
    - Bikes are not compatible with cars in congested areas
  - Parks and Creeks – Enthusiastic about the idea, but how do you do it
  - East End – okay with the idea, but the medians would have to be broken up

- Table 2

  - Agree with everything Table 1 said
  - Control chain stores – we don't want to destroy the boutiquey character of our stores
  - Definition of "tweaks" – government "tweaks" us a lot
  - Very concerned about height – don't want to walk down canyon, we want to see the hills, we want to be semi-rural
  - Like the idea of setbacks and stepbacks
  - Want to see difference in heights
  - Want accessibility without cars – benches for seniors, play areas, open space
  - Okay to increase density if you give us more open space
  - We want an aesthetically pleasing parking structure
  - Mini-buses – Moraga is going to have a lot more units
  - We are in favor of arbor-effect in our medians

- Table 3

  - Maintain the small-town character
  - Concern about 65 units per acre
  - Concern about height and how height is measured
  - Is this a downtown for seniors?
  - Fear of sidewalk-to-sidewalk building
  - Back the buildings off the street
  - Move housing to the East End
  - Too tall, too many, too close
  - We have to choose between housing regulations vs. desirability
  - Parks and creeks are a positive part of the Plan
  - In the Shield Block, add bridges
  - Housing mix in the Shield Block is desirable
  - Crime issues with the creeks given our banks and creeks
  - Terracing of creeks could lead to crime, graffiti, homeless
  - Circulation and parking – there needs to more traffic mitigation
  - Bring back two-way traffic on First Street
  - About the process
    - Does environmental review allow developers to come in and build without further review
    - Has anything been thrown out of this Plan
    - Why are we saying developers won't build one-story buildings

- Table 4

  - Community character – districts are good, logical
  - Height – generally okay, but change the character of the downtown
  - No increased density south of Mount Diablo Blvd
  - Parks and creeks – in favor, strong support
  - Circulation and parking – generally okay, but concerns about a central parking facility and having to walk – how will that work for seniors
  - What are the new streets north of Mount Diablo Blvd
  - Streetscapes – opposed to the East End as the highest priority

- Table 5

  - Supportive of progress and change
  - Overall, the process has been flawed
  - Input has been ignored – it is a consultant-driven Plan
  - Character – change in Lafayette, a lot at once
  - Nothing feels semi-rural
  - Regulations – the General Plan is good already, what are the changes to the General Plan
  - Parks and creeks – disagreement at the table
    - Parks and retail don't mix
    - Conceptual idea is okay, but not realistic
  - Circulation and parking
    - How is traffic improved
    - More development means more traffic
  - Streetscapes – love the ideas, but how were priorities chosen
  - Don't kid yourself – big buildings will be built

- Table 6

  - Creek enhancement – make that the entryway to Golden Gate Way
  - How will the Plan be implemented
  - It is an exceptional vision
  - Low-cost/no-cost parking is vital to downtown
  - Enhance downtown, but it is not financially feasible
  - Build a community center for seniors, teens, events in the downtown
  - Don't mess with the Round Up
  - Walkable downtown is good
  - Retail at night could use office parking
  - Retail should stay like boutiques
  - Height not an issue, but views should be preserved
  - Transit-oriented development is viable around BART

- Table 7

  - This is a fundamental change to Lafayette
  - This will homogenize us
  - Can't make us into another city, like Carmel or Walnut Creek
  - Canyon of buildings will block views
  - Lack of character is shown by the lack of street names on the maps
  - We are being invaded by developers
  - We are not a Tiffany area
  - East End is not a priority
  - Can't get rid of car uses – need to buy gas downtown
  - Not mixed use
  - High density = high crime
  - Town Center is not Lafayette
  - Views will be destroyed
  - New downtown Berkeley
  - Parks and creeks – not uniquely Lafayette
  - Huge amount of money spent on spaces only used 10% of the time
  - Public Works needs to stay on drainage and sidewalk condition

- Parks are not a true amenity
- Circulation and parking – difficult between 11 and 1
- How will parking structures look
- There no pleasant pedestrian experience on Mount Diablo Blvd
- Trees and median help
- Where is the maintenance – downtown is not being maintained now
- Streetscapes – not a community goal

- Table 8

  - There is a traffic problem and a parking problem
  - What about a parking structure on the lot behind the Methodist Church
  - Like plazas, but not parks in the downtown
  - Golden Gate Way is a good redevelopment area with a park
  - How does eminent domain figure into this Plan
  - How did the BART platform become the standard
  - Did the consultants figure that out when they got off BART

- Table 9

  - We echo most of what has already been said
  - Plan is just the framework for what will happen
  - Heights are concern, but could be lessened with showing corner treatments and view corridors
  - Parks and creeks – good idea, but can they be accomplished
  - Circulation and parking – parking can be behind buildings like in the Shield Block
  - If you remove parking, add parking
  - Design of parking structures is a concern
  - Was development in Moraga considered
  - Like the street improvements
  - Look at pedestrian safety, maybe use sidewalk bulbs
  - Make sure congestion is not made worse

- Table 10

  - For character, the survey was our root
  - 87% were happy as is
  - Park-once not in the survey
  - Regulations – understood increased height, but need more setback for third story
  - We like our General Plan
  - Look at 9-6 and 9-7 in the Plan
  - Eden Housing is an example of the density bonus increasing the allowed density
  - Not happy with no setbacks, no required open space
  - Parks and creeks – like what is shown for the Shield Block
  - Parking – make mandatory employee parking
  - Streetscape – East End should be #1 priority, but allow left turns for businesses

- Table 11

  - Density and height – smart change is needed, but what will it do to services
  - Support height increase next to BART
  - Senior housing needed downtown

- Streetscapes – favor East End, but need median breaks
- The T – the parking structure will make traffic worse because of additional cars going in and out
- Structure should be on north side of Mount Diablo Blvd
- Parks – is Gazebo #2
- Trees in the median should be native, drought resistant to reduce costs
- Creeks –
  - Could increase City's liability
  - What about transients

- Table 12

  - Character –
    - Overriding concern – maintain existing character
    - What should be preserved in the downtown should be used as the starting point in deciding what to add
    - Districts are appropriate
  - Regulations – diverse views at the table
  - Parks and creeks –
    - Best feature of the Plan
    - Concerns about maintenance and liability
    - Why was the Plaza left untouched – it should be redeveloped as part of the Plan
  - Parking and circulation –
    - Favored secondary road running parallel to Mount Diablo Blvd
    - Look at extending Moraga Road to connect to Hwy 24
  - Streetscapes – concern by East End businesses about visibility and access, but need more information

- Table 13

  - Character – maintain the existing
  - Districts – what about medical buildings, they should be addressed
  - Regulations – need more transparency about what these regulations mean
  - Parking and circulation –
    - There should not be any parking on Moraga Road
    - Something needs to be done about the light at Moraga Road / Brook Street / School Street – connect Brook and School or eliminate the light
  - Streetscapes – good suggestions

Wrap-Up

Steve Hammond gave a summary of the major points made by the different tables.

Four participants left behind individual comments:

- Historical areas? Maintenance costs for parks and creeks. Like the proposed road between BART and Mount Diablo. East End (streetscapes) slows traffic with left turns, exiting businesses – maintenance cost long-term.

- WRT, again, did not listen. We want our small town. We want our hill views. Summary by WRT is ...(unreadable) of building height and loss of views. The summary was atrocious. It was distorted, inaccurate, dismissive of the input and totally wrong on building height. It again completely failed to mention small town and semi-rural advocates.

- Do not try to push this disguised overcrowded development on use by ameliorating it with greenery. Do not twist everything around. We do not wish this garbage. We want to preserve the life we have and not spoil it with such projects that benefit the developers at our cost.

- Keep small town feel. The Plan appears to support a new "urban" Lafayette. I disagree with this view. High density housing in Lafayette is out of character for this community and will just add to traffic and parking problems. Summary by WRT employee was completely off the mark. He was basically defending his/WRT plan.

SECTION 10:
APRIL 13, 2009 JOINT MEETING MINUTES

To be added later